



Report of the Lady Chief Justice's Sentencing Group (NI)

July 2024 – June 2026

Preface

This is the sixth report¹ of the Lady Chief Justice's Sentencing Group covering the period July 2024 – June 2026.

The Lady Chief Justice's Sentencing Group

The Lady Chief Justice's Sentencing Group was established in 2010 to:

- (a) advise the Chief Justice as to topics for their Programme of Action on Sentencing;
- (b) consider and advise on sentencing guidelines for the Magistrates' Courts in Northern Ireland;
- (c) consider judgments of the Court of Appeal and advise the Judicial Studies Board for Northern Ireland ("JSB") as to their suitability for inclusion within the JSB Sentencing Guideline Compendium (the "*Compendium*")²;
- (d) consider first instance judgments of the Crown Court and advise the JSB as to their suitability for inclusion within the Compendium;

¹ The fifth report was published on 22 November 2024 and can be accessed at [LCJ's Sentencing Group 5th Report](#).

² The JSB Sentencing Guideline Compendium can be located at <https://www.judiciaryni.uk/sentencing-guidelines-northern-ireland>

- (e) liaise with the JSB as to the training of the judiciary on sentencing practice and the dissemination of sentencing guidelines;
- (f) make such other proposals and carry forward such other programmes of action relating to sentencing guidelines and practice as may seem fit to them after consultation of the Chief Justice.

The Sentencing Group meets three times per year in each of the legal terms.

Membership of the Sentencing Group

A list of members of the Sentencing Group as of 30 June 2026 is at Annex A.

During the reporting period the following changes in judicial membership of the Sentencing Group took place:

- i. The Right Honourable Lord Justice Colton was appointed as the Chairperson of the Group in May 2026.
- ii. The Honourable Madam Justice McBride became an ex officio member in September 2025.
- iii. His Honour Judge Gilpin became an ex officio member in December 2025.
- iv. His Honour Judge Reel became an ex officio member in January 2026.

Court of Appeal Sentencing Guidelines

The Sentencing Group periodically reviews new judgments of the Court of Appeal in Northern Ireland and where appropriate, judgments of the Crown Court. Where the Group considers that a judgment should be accorded the status of a sentencing guideline it is published in the Compendium.

During the reporting period, the Group identified and published 19 new Court of Appeal sentencing guideline judgments.³

Since July 2024 the following sections have been added to the Compendium:

³ A full list of these judgments can be found at Annex B.

- Advocate’s Duties (initially entitled ‘Prosecutorial Duties’ and subsequently broadened in scope)
- Basis of Plea & Newton Hearings
- Breach of Immigration Law Offences
- Delay
- Deterrence
- Hijacking Offences
- Human Trafficking Offences
- Judicial Communication
- Non-Fatal Strangulation
- Sentencing Indication/Rooney Hearing

The ‘Offences’ section of the Compendium has been reviewed and obsolete judgments were removed. These judgments remain accessible on the Judiciary NI website. Also as part of this review, a paper containing key sentencing policy statements from the guideline judgments was published to assist sentencers.⁴

Crown Court Decisions

One of the initial issues raised by the Sentencing Group was the limited ability of the Court of Appeal to target specific offences for issuing sentencing guidelines (e.g. where the offence has been recently created, or where the offence comes before the Court of Appeal infrequently).

To combat this problem, the Sentencing Group has in place a mechanism for Crown Court sentencing decisions in appropriate cases to be accorded the status of interim guidance pending a suitable Court of Appeal decision.

Crown Court judgments are also reviewed and added to the Compendium if they are determined to be of value to sentencing judges generally.

During the reporting period, the following three Crown Court cases were added to the Compendium:

<u>Case</u>	<u>Citation</u>	<u>Section</u>
R v Alexander McCartney	[2024] NICC 30 & [2024] NICC 36	1.Sexual Offences 2.Manslaughter

⁴ This paper can be accessed at [NI Sentencing Policy Statements Contained in Guideline Judgments.](#)

		3.Blackmail 4.Life Sentences - Discretionary
R v Paul Doherty, Gerard Martin Farmer and City Industrial Waste	[2025] NICC 13	Environmental Offences
R v Rice, Houlahan and Lappin	[1997] NICC 1	Community Service Orders

Magistrates' Courts Sentencing Guidelines

The Sentencing Group's Magistrates' Courts Sentencing Guidelines Sub-Committee has created and published sentencing guidelines for some 125 offences in total since the Group commenced its work in 2010.⁵ These guidelines cover the vast majority of offences which commonly come before this tier.

In January 2026, at the request of the Lady Chief Justice, the Sub-Committee commenced an extensive review of the Magistrates' Courts Sentencing Guidelines. A revised set of guidelines will be published in Autumn 2026.

A list of the members of the Magistrates' Courts' Sentencing Guideline Sub-Committee as at 30 June 2026 can be found at Annex C.

Judicial Studies Board

The Sentencing Group continues to work in partnership with the Judicial Studies Board for Northern Ireland. A list of sentencing-related events organised by the JSB during the reporting period is at Annex D.

Other Sentencing Group Activities

Members of the Sentencing Group have participated in a range of wider sentencing events, conferences and meetings throughout Northern Ireland and the UK as follows:

⁵ The Magistrates' Court Sentencing Guidelines can be accessed at <https://www.judiciaryni.uk/sentencing-guidelines-magistrates-court>

1. Lord Justice McCloskey, Mr Justice O'Hara and Her Honour Judge Smyth attended the second Four Corners Sentencing Conference, a meeting of the sentencing bodies of the four jurisdictions of the UK and Ireland. Lord Justice McCloskey presented papers on "Sentencing for Murder" and "Victim Impact Statements" (Dublin, 28-29 November 2024).
2. Lord Justice McCloskey attended the Sentencing Council for England & Wales and Sentencing Academy Conference on "Perspectives on Sentencing" (City Law School London, 10 January 2025).
3. His Honour Judge Gilpin, His Honour Judge Reel and His Honour Judge McGarrity attended the second Scottish Sentencing Research Symposium hosted by the Scottish Sentencing Council in conjunction with the Scottish Centre for Crime and Justice Research and the Sentencing Academy (University of Edinburgh, 20 May 2025).
4. Lord Justice McCloskey attended the United Kingdom and Ireland Judicial Studies Council Annual Seminar and delivered a paper on judicial communication in sentencing, focusing on specific rights protected by article 6 of the European Convention on Human Rights (Dublin, 22-23 October 2025).

Lady Chief Justice's Programme of Action on Sentencing

The LCJ's Programme of Action on Sentencing was initiated in 2010. It is a 'rolling' programme with topics being added where it is considered appropriate to do so; and topics being removed when suitable guidelines have been issued. The Group advises the LCJ on topics for inclusion in the programme and, where appropriate, establishes guidelines for offences contained therein.

The Group works closely with the JSB to arrange training on the topics within the programme where deemed appropriate.

Annex E sets out the actions taken by the Sentencing Group in the reporting period in relation to the topics included on the Programme of Action .

Summary and Conclusions

The Sentencing Group has continued its work during the reporting period by overseeing the publication of sentencing guidelines and guidance, with the aim of ensuring that the Northern Ireland public, judiciary, legal profession, universities, law

students, litigants and all interested agencies are properly informed and periodically updated on sentencing practice.

To that end, during the reporting period, the Sentencing Group has, in particular:

- identified and published 19 new Court of Appeal sentencing guideline judgments;
- identified and published 3 Crown Court sentencing guidance cases;
- initiated a review of all Magistrates' Courts Sentencing Guidelines;
- conducted a review of the 'Offences' section of the Compendium and removed obsolete judgments;
- continued to work in partnership with the JSB to arrange training events on sentencing topics across the various judicial tiers;
- participated in wider sentencing conferences, events and meetings to include presenting papers and sharing sentencing knowledge to increase understanding of the sentencing process; and
- maintained links and information exchange with the other sentencing bodies throughout the UK and Ireland.

The Rt Hon Lord Justice Colton
Chair, LCJ's Sentencing Group

19 October 2026

Annex A

Membership of the Sentencing Group as of 30th June 2026

The Rt Hon Lord Justice Colton	Chairperson
The Hon Madam Justice McBride	Senior Criminal Judge
His Honour Judge Gilpin	Recorder of Belfast
His Honour Judge Reel	JSB Tutor Judge
District Judge (Magistrates' Courts) Keown	Presiding District Judge (Magistrates' Courts)
District Judge (Magistrates' Courts) Ranaghan	District Judge (Magistrates' Courts)
Ms Julie McGrath	Legal Secretary to the Lady Chief Justice
Mr Terence Dunlop	Secretary to the Judicial Studies Board
Mr Seamus Mulholland	Queen's University Belfast Academic Member
Dr Russell Orr	University of Ulster Academic Member
Ms Geraldine Hanna, Commissioner Designate for the Victims of Crime	Lay Victims of Crime Representative
Ms Laura McLaughlin	Secretary
Mr Alistair Beare	Assistant Secretary

Annex B

Court of Appeal Sentencing Guideline Judgments

<u>Case</u>	<u>Citation</u>	<u>Section(s)</u>
R v Michael Beattie	[2024] NICA 51	Sexual Offences Orders Ancillary to Sentence
R v Kenneth Clarke & Jamie McConnell	[2024] NICA 52	Theft and other Dishonest Offences
R v John Paul Whitla	[2024] NICA 65	Life Sentences – Mandatory
R v Vladimir Kovac	[2024] NICA 72	Road Traffic Offences
R v Thomasena Byrne	[2024] NICA 75	Deterrence Personal Mitigating Circumstances – Exceptional Circumstances
R v Noel David Quigley	[2025] NICA 6	Deterrence Violent Offences Personal Mitigating Circumstances – Mental Illness of Offender
R v Barry Donnelly	[2025] NICA 7	Manslaughter
R v Darryl Haughey	[2025] NICA 10	Non-Fatal Strangulation
R v Michael McGinley	[2025] NICA 11	Delay
R v Brian Ruddy	[2025] NICA 13	Theft and other Dishonest Offences Personal Mitigating Circumstances – Exceptional Circumstances

R v Adam Potts	[2025] NICA 22	Violent Offences Totality/Consecutive
R v Oliver James MacCormack	[2025] NICA 49	Human Trafficking Offences
R v Declan Collins and Sean Mateer	[2025] NICA 50	Hijacking Offences Advocate's Duties
R v Eric Diaz	[2025] NICA 52	Breach Of Immigration Law Offences
R v Sebastian Kasak	[2025] NICA 2	Sexual Offences
R v Gordon McBrearty	[2026] NICA 4	Sexual Offences
R v Christopher Fulton and Amanda Fulton	[2026] NICA 5	Violent Offences
R v Clive Weir	[2025] NICA 38	Advocate's Duties Judicial Communication Basis of Plea & Newton Hearing
R v Barry Maguire	[2026] NICA 12	Non-Fatal Strangulation

*Membership of the Magistrates' Court Sentencing Guideline Sub-Committee as of
30th June 2026*

District Judge (Magistrates' Courts) Ranaghan, Chair

His Honour Judge Reel⁶

District Judge (Magistrates' Courts) Broderick

District Judge (Magistrates' Courts) P King

District Judge (Magistrates' Courts) Conner

District Judge (Magistrates' Courts) Fitzsimons

⁶ County Court judiciary's representative.

JSB Sentencing Events

<u>Event</u>	<u>Date</u>	<u>Court Tier</u>
Equal Treatment Bench Book	28 November 2024	All Tiers
Crown Court Refresher Training - Homicide, Serious Sexual Offences & Terrorism	18 - 20 December 2024	Crown Court
Judicial Writing and Communication 1	30 January 2025	All Tiers
Magistrates' Courts Judicial Training and Welfare Day	21 February 2025	Magistrates' Courts
Judicial Writing and Communication 2	22 May 2025	All Tiers
Judicial Writing and Communication 3	29 September 2025	All Tiers
Crown Court Refresher Training - Serious Sexual Offences	17 - 19 December 2025	Crown Court
Magistrates' Courts Judicial Training and Welfare Day	23 January 2026	Magistrates' Courts
Human Rights Act 1998 25 th Anniversary Training Event	23 February 2026	Crown Court
Human Rights Act 1998 Training Event	24 April 2026	Magistrates' Courts
Domestic Violence in the Family Courts	17 April 2026	All Tiers

Annex E

Lady Chief Justice's Programme of Action on Sentencing – Position at 30th June 2026

<u>TOPIC</u>	<u>ACTION</u>
Domestic Violence	1. Magistrates' Courts Sentencing Guidelines 2. JSB Publication of Paper by HHJ Burgess (26 January 2011) 3. <i>R v PH</i> [2011] NICA 42 4. JSB Presentation by PBNI (11 September 2013) 5. JSB Presentation by HHJ McFarland (16 September 2014) 6. <i>R v Brownlee (Sentencing)</i> [2015] NICA 58 7. JSB Presentation on Strangulation Law in Domestic Violence Cases (6 June 2019) 8. <i>R v Campbell Allen</i> [2020] NICA 25 9. <i>R v Jason Stewart</i> [2020] NICA 62 10. JSB Presentation on Sentencing & Safeguarding (13 April 2021) 11. JSB Presentation on Domestic Abuse & Coercive Control (20 January 2022) 12. JSB Presentation on Medical Evidence in Sexual Offence cases including Non-Fatal Strangulation (8 November 2022) 13. <i>R v Christopher Hughes</i> [2022] NICA 12 14. <i>R v William Hutchison</i> [2023] NICA 3 15. <i>R v BN</i> [2023] NICC 5 16. JSB Presentation on Vulnerable Witnesses (3 June 2024) 17. <i>R v Darryl Haughey</i> [2025] NICA 10 18. JSB Training Day on Domestic Violence in Family Courts (17 April 2026) 19. <i>R v Barry Maguire</i> [2026] NICA 12
Serious Sexual Offences (including offences against children)	1. Magistrates' Courts Sentencing Guidelines 2. <i>R v SG</i> [2010] NICA 32 3. <i>R v EB</i> [2010] NICA 40 4. <i>DPP's Ref (1 of 2012)(R v DM)</i> [2012] NICA 36 5. <i>R v ML</i> [2013] NICA 27 6. <i>R v Simpson</i> [2014] NICA 83 7. <i>R v McCormick</i> [2015] NICA 14 8. <i>R v TH</i> [2015] NICA 48 9. <i>R v Lukasz Kubik</i> [2016] NICA 3 10. <i>R v MH</i> [2015] NICA 67 11. <i>R v James William Taggart</i> [2017] NICA 5

<u>TOPIC</u>	<u>ACTION</u>
	12. <i>R v WL</i> [2017] NICA 36 13. <i>R v CZ</i> [2018] NICA 53 14. <i>R v QD (DPP's Ref No.6 of 2019)</i> [2019] NICA 23 15. <i>R v Vincent Lewis (DPP's Ref No.1 of 2018)</i> [2019] NICA 26 16. <i>R v KT (DPP's Ref No.2 of 2019)</i> [2019] NICA 42 17. <i>R v Byrne & Cash</i> [2020] NICA 16 18. <i>R v Shaun Hegarty</i> [2022] NICA 55 19. <i>R v ZB</i> [2022] NICA 69 20. JSB Presentation on Medical Evidence in Sexual Offence cases including Non-Fatal Strangulation (8 November 2022) 21. <i>R v Jacek Pacyno</i> [2024] NICA 3 22. <i>R v Jonathan Hutton</i> [2024] NICA 19 23. <i>R v CD</i> [2024] NICA 9 24. <i>R v Jonathan Ritchie</i> [2024] NICC 5 25. <i>R v Jonathan Playfair</i> [2024] NICA 21 26. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36 27. JSB Crown Court Refresher Training to include Serious Sexual Offences (18 – 20 December 2024) 28. <i>R v Michael Beattie</i> [2024] NICA 51 29. JSB Crown Court Refresher Training - Serious Sexual Offences (17 – 19 December 2025) 30. <i>R v Sebastian Kasak</i> [2026] NICA 2 31. <i>R v Gordon McBrearty</i> [2026] NICA 4
Indecent Images	1. AG's Ref (No.8 of 2009) <i>Christopher McCartney</i> [2009] NICA 52 2. <i>R v Andrew Maxwell</i> [2023] NICA 21 3. <i>R v Jonathan Playfair</i> [2024] NICA 21 4. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36
Human Trafficking [including Slavery]	1. JSB Presentation by PSNI 2. <i>R v Matayis Pis</i> [2012] NICC 14 3. <i>R v Chen, Dempsey and Hinton</i> [2012] NICC 26 4. JSB Presentation on Human Trafficking & Modern Slavery (1 June 2023) 5. <i>R v Oliver James MacCormack</i> [2025] NICA 49
Attacks on Public Workers (including police officers)	1. Magistrates' Courts Sentencing Guidelines 2. <i>R v Noel David Quigley</i> [2025] NICA 6
Attacks on Vulnerable people	1. Magistrates' Courts Sentencing Guidelines

<u>TOPIC</u>	<u>ACTION</u>
Attacks on Older People	1. Magistrates' Courts Sentencing Guidelines 2. <i>R v Anthony Andrew Megarry</i> [2002] NICA 62 3. <i>R v Edward Cambridge</i> [2015] NICA 4 4. <i>R v Luke Walls</i> [2021] NICA 19
Duty Evasion and Smuggling	1. <i>R v Grew; R v Mackle and others</i> [2011] NICA 31 2. Sentencing Case Compendium 3. <i>R v Kumar</i> [2013] NICC 12 4. <i>R v Brian Ruddy</i> [2025] NICA 13
Environmental Crime	1. Magistrates' Courts Sentencing Guidelines 2. JSB Presentation by Professor Sharon Turner (29 September 2011) 3. <i>R v Allingham; R v McKenna</i> [2012] NICA 29 4. <i>R v John Paul Braniff</i> [2016] NICA 9 5. <i>R v Paul Doherty, Gerard Martin Farmer & City Industrial Waste Limited</i> [2025] NICC 13
Honour-based Crime	1. Sentencing Group Guidance Note
Tiger Kidnapping	1. Sentencing Case Compendium
Intellectual Property Crime	1. Magistrates' Courts Sentencing Guidelines 2. Sentencing Case Compendium 3. <i>R v Paul Mahoney</i> [2016] NICA 27
Road Traffic Offences	1. Magistrates' Courts Sentencing Guidelines 2. JSB Sentencing Workshop (22 February 2011) 3. <i>R v Conrad Doole</i> [2010] NICA 11 4. <i>DPP's Reference (No.5 of 2012)(Berry)</i> [2013] NICA 9 5. <i>DPP's Reference (No.7 of 2013)(Kevin Brannigan)</i> [2013] NICA 39 6. <i>R v McGrade</i> [2014] NICA 8 7. <i>R v Patricia McKeown</i> [2016] NICA 24 8. <i>R v David Lee Stewart</i> (DPP's Ref No.1 of 2016) [2017] NICA 1 9. <i>R v Paul Holywood</i> [2019] NICA 28 10. <i>R v Laura Adair</i> [2022] NICA 68 11. <i>R v Vladimir Kovac</i> [2024] NICA 72
Hate Crime	1. Magistrates' Courts Sentencing Guidelines
Health and Safety Offences Causing Death	1. <i>R v JMW Farm Ltd</i> [2012] NICC 17 2. <i>R v Norman McKenzie</i> [2017] NICA 29
Manslaughter	1. <i>R v Eamon Coyle</i> [2010] NICA 48 2. <i>R v Crollly</i> [2011] NICA 58 3. JSB Presentation by Hart J (13 September 2013) 4. <i>R v Sean Hackett</i> [2015] NICA 57

<u>TOPIC</u>	<u>ACTION</u>
	5. JSB Homicide Training (18-20 December 2023) 6. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36 7. <i>R v Barry Donnelly</i> [2025] NICA 7
Child Cruelty and Neglect and Serious Assaults on Children	1. Magistrates' Courts Sentencing Guidelines 2. Sentencing Case Compendium 3. <i>R v W</i> [2014] NICA 71 4. <i>R v Darren Fegan</i> [2018] NICA 2 5. <i>R v ZB</i> [2022] NICA 69 6. <i>R v Christopher Fulton & Amanda Fulton</i> [2026] NICA 5
Animal Cruelty	1. Magistrates' Courts Sentencing Guidelines
Cyber Crime	1. JSB Presentation by Professor Alisdair Gillespie (24 February 2015) 2. JSB Cybercrime Workshop (27 May 2015) 3. JSB Presentations on Technology Assisted Sexual Offending & Policing Online Child Sexual Abuse and Exploitation (17 December 2025) 4. <i>R v Jonathan Playfair</i> [2024] NICA 21 5. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36
Cyber Bullying	1. <i>R v Balmer and Wilson</i> [2015] NICA 40 2. <i>R v Jonathan Playfair</i> [2024] NICA 21 3. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36
Psychoactive Substances	1. Magistrates' Court Sentencing Guidelines
Non-paramilitary blackmail	1. <i>R v Jonathan Playfair</i> [2024] NICA 21 2. <i>R v Alexander McCartney</i> [2024] NICC 30 & [2024] NICC 36
Reduction for guilty plea	1. <i>R v Sean Ruddy</i> [2016] NICA 17 2. <i>R v William Turner & James Henry Turner</i> [2017] NICA 52 3. <i>R v Maughan</i> [2022] UKSC 13 4. <i>R v Nathan Phair & Padraig Toher</i> [2023] NICA 18`